

PTO-1083



Docket No.: 300.1023
Date: December 16, 2002

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ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231 & TRADEMARK

In re application of: **Chih-Ming Chen, et al.**
Serial No.: **09/726,193**
Filed: **November 29, 2000**
For: **Controlled Release Metformin Formulations**

Sir:

Transmitted herewith is an **Amendment** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- ☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- ☒ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:

		(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
FOR:		REMAINING	HIGHEST	PREVIOUSLY	PRESENT	RATE	FEE		RATE	FEE
		AMENDMENT	PAID FOR	EXTRA						
TOTAL CLAIMS	*	Minus**	=		x0\$ 9	\$			x \$ 18	\$
INDEP. CLAIMS	*	Minus***	=		x0\$ 40	\$			x \$ 80	\$
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIMS						\$			+ \$ 270	\$

TOTAL: \$ OR TOTAL: \$

☒ Also transmitted herewith are:

- ☒ Petition for extension under 37 C.F.R. 1.136
- ☒ Other: Terminal Disclaimer over U.S. Patent No. 6,099,859 and Terminal Disclaimer over U.S. Patent Application No. 09/594,637

☐ Check(s) in the amount of is/are attached to cover:

- ☐ Filing fee for additional claims under 37 C.F.R. 1.16
- ☐ Petition fee for extension under 37 C.F.R. 1.136
- ☐ Other:

☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Terminal Disclaimer Fees Under 37 CFR 1.20(d)
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Robert J. Paradiso, Reg. No. 41,240
DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on December 16, 2002.

DAVIDSON, DAVIDSON & KAPPEL, LLC
BY: